

of the Senate, the papers to be selected by each individual member from any one or more daily papers; *provided*, that said newspapers shall not cost over five cents per copy, and that said papers shall contain a full and complete statement of each day's proceedings of this Senate, or at least a true synopsis of said proceedings.

Senator Gooch offered the following substitute:

Resolved, That the sergeant-at-arms of the Senate be instructed to subscribe for ten copies of such daily paper or papers as each senator shall select, to be paid for out of the contingent fund of the Senate, at a cost of not more than five cents each.

Senator Davenport moved to amend the resolution by striking out "fifteen" and inserting "thirty."

Senator Houston moved to refer the pending resolution, substitute and amendment to the committee on public printing.

Adopted.

On motion of Senator Motley, the Senate adjourned until 9 o'clock A. M. to-morrow.

SECOND DAY.

SENATE CHAMBER, }
AUSTIN, TEXAS, June 11, 1879. }

Senate met pursuant to adjournment; president in the chair. Roll called; quorum present. Prayer by the chaplain.

On motion of Senator Ledbetter, the reading of the journals of yesterday was dispensed with.

Senator Hobby called attention to the omission of the name of Hon. L. J. Storey, president *pro tempore*, among the list of officers of Senate mentioned as present on the meeting of the Legislature on yesterday.

The journal was corrected in this respect and then adopted.

Senator Davenport rose to a question of privilege in justice to the secretary of the Senate, growing out of the following in the *Statesman* of the eleventh instant, to wit:

"Yesterday the representative of the *Statesman* was refused a copy of the journals in the Senate, on the ground that instructions had been given to turn the journals over to another publisher."

And the following: "The *Statesman* was refused a copy of the journals because it had been officially promised to a public free school press."

Senator Davenport said that it was unnecessary to say that the president had nothing whatever to do with this matter; and that so far as the secretary of the senate was concerned he simply declined to let any member of the press of the city have the official journal until arrangements had been made for its authoritative publication, but the same was open to such of them as desired to make copies thereof, and that those who did publish the journals did so from copies taken from the official journal.

Senator Gooch introduced a bill entitled "An act to make an appropriation to pay the interest on the public debt for the years ending March 1, A. D. 1880, and March 1, A. D. 1881."

Read by caption and referred to the committee on finance.

Senator Shannon introduced a bill entitled "An act to make an appro-

priation for the establishment and maintenance of the public free schools of the state for the years ending August 31, 1880 and 1881," and moved that the bill be referred to a special committee of seven senators.

Senator Hobby moved to refer the bill to the committee on education.

Senator Patton moved, as a substitute for the motion of Senator Hobby, that the bill be referred to judiciary committee No. 2.

Senator Gooch moved, as a substitute for the pending motions, that the bill be referred to the committee on finance.

Senator Houston moved the previous question on the pending motions. Motion seconded and the main question ordered.

Senator Gooch's substitute for pending motions, to refer the bill under consideration to the committee on finance, was lost by the following vote:

YEAS.

Blassingame,	Gooch.	Ledbetter,	Street,
Brown,	Hobby,	McCulloch,	Terrell,
Duncan,	Lair,	Moore,	Tilson—13.
Edwards,			

NAYS.

Buchanan,	Guy,	Patton,	Shannon,
Davenport,	Houston,	Ripetoe,	Storey,
Ford,	Martin,	Stewart.	Swain—14.
Grace,	Motley,		

Not voting—Burton.

Senator Patton's substitute to refer the said bill to judiciary committee No. 2, was lost by the following vote:

YEAS.

Burton,	Davenport,	Grace,	Guy—4.
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NAYS.

Blassingame,	Gooch,	McCulloch,	Street,
Brown,	Hobby,	Moore,	Shannon,
Buchanan,	Houston,	Motley,	Storey,
Duncan,	Lair,	Patton,	Swain,
Edwards,	Ledbetter,	Ripetoe,	Terrell.
Ford,	Martin,	Stewart,	Tilson-- 24.

Absent, not voting (not yet arrived)—Burnett, Homan, Lane.

The motion of Senator Hobby to refer the bill to committee on education, was adopted by the following vote:

YEAS.

Blassingame,	Edwards,	Ledbetter,	Storey.
Brown,	Gooch,	McCulloch,	Terrell,
Buchanan,	Hobby,	Moore,	Tilson—15.
Duncan,	Lair,	Street,	

NAYS.

Burton,	Guy,	Motley,	Stewart,
Davenport,	Houston,	Patton,	Shannon,
Ford,	Martin,	Ripetoe,	Swain—13.
Grace,			

Senator Stewart offered the following resolution:

Resolved, That the comptroller of public accounts be requested to furnish the Senate the following information:

First. The estimated taxable value of property of this state for the year 1879, including property in both organized and unorganized counties.

Second. The tax thereon.

Third. The estimated cost of assessing and collecting this tax, including the delinquent taxpayers.

Fourth. The estimated net amount to be derived from occupation taxes for the year 1879.

Fifth. The total estimated net amount of ad valorem and occupation taxes for the year 1879.

Sixth. The estimated one-fourth of the ad valorem and occupation taxes for 1879.

Seventh. The total estimated net amount of the ad valorem and occupation taxes for 1879, after deducting the one-fourth for school purposes.

Eighth. The estimated net amount to be received into the treasury from the general land office for the year 1879.

Ninth. The estimated net amount which will be paid into the treasury for the year 1879 from all other departments of the state government, including the secretary of state's office, lessees of the penitentiary, etc.

Tenth. The estimated net amount to be received into the treasury for the year 1879, from this date, on assessment of 1878.

Eleventh. The estimated net amount to be received into the state treasury as general revenue from the extra poll tax.

Twelfth. The estimated net amount which will come into the treasury from all other sources.

Thirteenth. Total estimated net amount to come into the state treasury as general revenue from all the above and before mentioned sources, after deducting one-fourth of the ad valorem tax and occupation tax as above.

Fourteenth. The amount of money now in the treasury belonging to the general revenue.

Fifteenth. The total amount of money in the treasury and to come into the treasury on the above estimates for the year 1879.

Sixteenth. The total amount of the appropriation made (but a part of which was vetoed) for the years ending twenty-eighth of February, 1880 and 1881, including the \$400,000 to pay interest and the \$100,000 as a sinking fund, respectively.

Seventeenth. The total amount of floating indebtedness outstanding against the general revenue.

Eighteenth. The amount of the bonded debt of the state, which is held by individuals, and the amount held by the state in trust for the public free school fund, A. & M. College fund, and University fund.

Nineteenth. The estimated taxable value of merchandise held by merchants in this state for the years 1878 and 1879.

Twentieth. In making the foregoing estimates have you taken into consideration the new laws passed by the Sixteenth Legislature in relation to the assessment and collection of taxes?

Twenty-first. How much do you estimate the general revenue will be increased by said late enactments?

Senator Terrell offered the following amendment:

"Twenty-second. What amount of money he estimates will remain in the treasury on the thirty-first day of August, 1880, if the deficiency since August 31, 1876, be liquidated and paid, and all amounts which, under existing laws, should have been set aside to create a sinking fund to pay the public debt be reserved, and that said estimates be made without reference to appropriation for public schools?"

Adopted.

Senator Grace offered the following amendment:

"Twenty-third. How much will be the deficiency on the first day of

January, 1880, and on the twenty-ninth day of February, 1880, and will the state owe any debt at those dates, and how much and nature of said debt? Show for the first of January and twenty-eighth of February, 1881, also."

Adopted.

Senator Storey offered the following amendment:

"Twenty-fourth. What was the amount received from occupation tax during the year ending August 31, 1878? What is the amount of deficiency, if any there is, not included in the deficiency bill passed at the regular session of the Sixteenth Legislature?"

Senator Edwards offered the following amendment:

"Twenty-fifth. Add also, to report at once the statement of the condition of accounts of collectors, called for by resolution passed at the regular session of the Sixteenth Legislature."

Senator Duncan offered the following amendment: Amend by adding the following:

"Twenty-sixth. The amount of state occupation taxes collected in 1878, which is not shown in comptroller's report to first session of the Sixteenth Legislature, and why it does not appear in said report?"

Withdrawn.

Senator Storey's amendment was then adopted.

Senator Edward's amendment was adopted.

Senator Gooch offered the following amendment:

"Twenty-sixth. And state whether any sinking fund was set aside for the years ending December 31, 1877 and December 31, 1878, and what was the amount appropriated and why was it not set aside."

"State what amount was in the treasury April 24, 1879, and what was then the warrant and other floating indebtedness of the state."

"What is the interest-bearing bonded indebtedness of the state at this time?"

Adopted.

Senator Grace offered the following amendment:

"Twenty-seventh. How much of the reported deficiency to date belongs to the state, and how much to individuals and corporations?"

Adopted.

Senator Street offered the following amendment:

"Twenty-eighth. If the appropriation of a proportionate part of the general revenue is made for the support of free common schools, instead of making such appropriation specific, will there or not be funds in the treasury to pay expenses of the government at all times?"

Adopted.

Senator Edwards offered the following:

"Twenty-ninth. What was the amount of warrants drawn and unpaid for want of funds in the treasury August 31, 1877, and amount drawn and unpaid for want of funds in the treasury August 31, 1878?"

Adopted.

Senator Duncan offered the following:

"Thirty. Has there been a *revenue* deficiency in state finances since 1874; if so, state how much each year?"

"Please state fully the basis upon which you estimate the amount of total revenue and expenditures for the present and the next fiscal year, together with the sources of revenue and the respective amounts to be derived from each."

"In calculating expenditures, do you subtract from total revenue the amount of total expenditures, or total amount of appropriations for the current year?"

Adopted.

Senator Brown offered the following:

"Thirty-one. In other words, how much do you think the Legislature can safely appropriate for the support of the public free schools?"

Lost.

Senator Gooch offered the following:

"Thirty-two. If you say in answer to item 27 that the state is the owner of a part of its own floating indebtedness, explain how it can be the owner of its own floating debt."

Senator McCulloch offered the following amendment:

"Twenty-two. That \$5000 be appropriated to enable the comptroller to get up all the information herein required."

Withdrawn.

Senator Stewart moved the previous question on the pending resolution.

Motion seconded and main question ordered.

The pending amendment of Senator Gooch was adopted.

The resolution of Senator Stewart as amended was then adopted by the following vote:

YEAS.

Blossingame.	Gooch,	Martin,	Shannon,
Brown,	Grace,	McCulloch,	Stewart,
Burton,	Guy.	Moore,	Street,
Davenport,	Hobby,	Motley,	Storey,
Duncan,	Houston,	Patton.	Terrell,
Edwards,	Lair,	Ripetoe,	Tilson—26.
Ford,	Ledbetter,		

NAYS—Swain.

Present and not voting—Buchanan.

Senator Houston introduced the following bill entitled "An act to make an appropriation to pay the interest on the public debt, and to provide a sinking fund for the redemption of the bonds of the state for the fiscal years ending March 1, 1880 and 1881."

Read by caption and referred to committee on finance.

Also, a bill to be entitled "An act prescribing the times of holding the district courts in the several counties composing the twenty-second judicial district."

Read by caption and referred to committee on judicial districts.

Senator Edwards introduced a bill entitled "An act to amend article 3704, title 95, chapter 1 of 'an act to adopt and establish the Revised Civil Statutes of the State of Texas,' approved February 21, 1879."

Read by caption and referred to committee on education.

Senator Street offered the following joint resolution:

Be it resolved by the Legislature of the State of Texas, That for the maintenance of free common schools, specific appropriation be made by this Legislature of such an amount out of the general revenue for the fiscal years ending thirty-first of August, 1880, and thirty-first of August, 1881, as it may be estimated will remain after provision for other expenses for public institutions and for liabilities of the government; *provided,* such appropriation shall not exceed one-fourth of the general revenue.

Referred to the committee on finance.

Senator Brown offered the following resolution:

Resolved, That the resolutions adopted at the regular session prescribing the time for the consideration of bills, and the time allowed senators, etc., is hereby rescinded.

Senator Gooch moved to suspend the rule requiring the resolution to lie over one day.

Carried, and the pending resolution was then adopted by an unanimous vote:

On motion of Senator Patton, Senators Stewart and Houston were added to the committee on education.

On motion of Senator Edwards, Senator Hobby was made chairman of the committee on rules.

On motion of Senator Grace, Senator Street was added to the committee on rules.

On motion of Senator Ledbetter, Senator Street was added to the committee on education.

Senator Terrell introduced a joint resolution "to provide for securing the sinking fund for the payment of the public debt," which is as follows:

Be it resolved by the Legislature of the State of Texas, That the State of Texas recognizes the obligation resting upon her to provide the sinking fund required to be set aside by the law under which her bonds were issued; that she cannot fail to make prompt provision for so much of said sinking fund as has not been set aside under the terms of the law without bad faith to the holders of her bonds, and it shall be the duty of the treasurer to set aside at once such an amount of general revenue as may be due under the law to the sinking fund.

Read and referred to committee on finance.

On motion of Senator Storey, the Senate adjourned until 9 o'clock A. M. to-morrow.

THIRD DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, June 12, 1879. }

Senate met pursuant to adjournment; president in the chair. Roll called; quorum present. Prayer by the chaplain.

On motion of Senator Shannon, the reading of the journal of yesterday was dispensed with.

Senator Shannon called attention to the fact that he was, in the journal of yesterday, reported as voting against the adoption of the resolution of Senator Stewart calling on the comptroller for certain information when he voted for said resolution.

The vote was ordered to be corrected accordingly.

Senator Houston also stated that he was incorrectly reported as not voting on the motion of Senator Gooch to refer the bill introduced by Senator Shannon, making an appropriation for schools, to the committee on finance; that he did vote on said motion and in the negative.

The journal was ordered to be accordingly corrected.

These corrections were made and the journal adopted.

Senator Burnett presented a petition from the citizens of Huntsville, asking the repeal of the tax known as the "drummer's tax," stating that